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An ACT *for Veſting Part of the ſettled Eſtate of* William Thornton, *Eſquire, in the County of* York, *in Him, in Fee-ſimple, diſcharged of the Uſes of his Marriage-Settlement; and for Settling other Lands of greater Value to the ſame Uſes.*

WHEREAS by Indenture Quinquepartite, bearing Date the Fifth Day of *July* One thouſand Seven hundred and Forty-nine, made or mentioned to be made between *William Thornton*, of *Cattall*, in the County of *York*, Eſquire, of the Firſt Part; *John Myſter*, of *Epſom*, in the County of *Surry*, Eſquire, of the Second Part; *Mary Myſter*, of the ſame Place, Spinſter, One of the Daughters of the ſaid *John Myſter*, of the Third Part; *John Launder*, of the *Middle-Temple*, *London*, Gentleman, and *Robert Bogg*, of *Doctors-Commons*, in the City of *London*, Gentleman, of the Fourth Part; and *Thomas Lockyer*, of *Ilcheſter*, in the County of *Somerſet*, Eſquire, and *Barnaby Backwell*, of the City of *London*, Banker, of the Fifth Part; in Conſideration of a Marriage then intended, and which was ſoon after had and ſolemnized, between the ſaid *William Thornton* and *Mary Myſter*, now *Mary Thornton*, and of her Portion or Fortune therein mentioned, and for other Conſiderations therein expreſſed, he the ſaid *William Thornton* did grant, bargain, ſell, and releaſe, unto the ſaid *John Launder* and *Robert Bogg*, and their Heirs (amongſt other Lands and Hereditaments therein mentioned and deſcribed), All that the Moiety of the Manors or Lordſhips of *Nunkeeling* and *Bewholme*, with the Rights, Members, and Appurtenances thereto belonging, and alſo all that the Manor-houſe of *Nunkeeling*, and all Barns, Stables, Outhouſes, Yards, Gardens, Orchards, Lands, Tenements, and Hereditaments, with the Appurtenances, ſituate, lying, and being in *Nunkeeling* aforeſaid, in the County of *York*, and then or late in the Tenure or Occupation of *Thomas Acklam*, or his Aſſigns, and then let at the yearly Rent of Eighty-three Pounds Eight Shillings and Six Pence; and all that other Meſſuage, Farm, Lands, Tenements, and Hereditaments, ſituate, lying, and being at *Nunkeeling* aforeſaid, and then in the Tenure or Occupation of Mrs. *Leng*, or

her Aſſigns, and then let at the yearly Rent of Six Pounds Five Shillings; and alſo all that other Meſſuage, Farm, and Lands, with the Appurtenances, ſituate, lying, and being at *Nunkeeling* aforeſaid, and then or then late in the Tenure or Occupation of *William Harper*, or his Aſſigns, and let at the yearly Rent of Fifteen Pounds Fifteen Shillings; and alſo all that other Meſſuage, Farm, and Lands, Tenements, and Hereditaments, with the Appurtenances, ſituate, lying, and being at *Bewholme*, in the ſaid County of *York*, and then or then late in the Tenure or Occupation of Mr. *Thomas Hudſon*, or his Aſſigns, and then let at the yearly Rent of Fifty-one Pounds; and alſo all that other Meſſuage, Farm, and Lands, with the Appurtenances, ſituate, lying, and being at *Bewholme* aforeſaid, and then or then late in the Tenure or Occupation of *Jonathan Robinſon*, or his Aſſigns, and let at the yearly Rent of Thirty-four Pounds Six Shillings and Nine Pence; and alſo all that other Meſſuage, Farm, and Lands, with the Appurtenances, ſituate, lying, and being at *Bewholme* aforeſaid, and then or then late in the Tenure or Occupation of *Thomas Raſhell*, or his Aſſigns, and let at the yearly Rent of Fifteen Pounds Thirteen Shillings and Nine Pence; and alſo all that other Meſſuage, Farm, and Lands, with the Appurtenances, ſituate, lying, and being at *Bewholme* aforeſaid, and then or then late in the Poſſeſſion or Occupation of *Joſeph Fangate*, or his Aſſigns, and let at the yearly Rent of Five Pounds Ten Shillings; and alſo all the Tythes of Corn, Grain, Hay, Wool, and Lamb, yearly ariſing, renewing, growing, or accruing at *Bewholme* aforeſaid, payable to the ſaid *William Thornton*, at the yearly Rent of Fourteen Pounds Nine Shillings and Eight Pence; and alſo all that other Meſſuage, Farm, and Lands, with the Appurtenances, ſituate, lying, and being at *Bewholme* aforeſaid, and then or then late in the Tenure or Occupation of *William Newſham*, or his Aſſigns, and let at the yearly Rent of Four Pounds and Twelve Shillings; and alſo all that other Meſſuage, Farm, and Lands, with the Appurtenances, ſituate, lying, and being at *Bewholme* aforeſaid, and then or then late in the Tenure or Occupation of *William Acklam*, or his Aſſigns, and let at the yearly Rent of Two Pounds Eight Shillings and Nine Pence; and alſo all that other Meſſuage, Farm, and Lands, with the Appurtenances, ſituate, lying, and being at *Bewholme* aforeſaid, and then or then late in the Tenure or Occupation of *Robert Wilſon*, or his Aſſigns, and let at the yearly Rent of Three Pounds and Five Shillings; and alſo all that other Meſſuage, Farm, and Lands, with the Appurtenances, ſituate, lying, and being at *Bewholme* aforeſaid, and then or then late in the Tenure or Occupation of *Thomas Wilds*, or his Aſſigns, and let at the yearly Rent of Six Pounds and Eight Shillings; and alſo all that other Meſſuage, Farm, Lands, and Premiſſes, with the Appurtenances, ſituate, lying, and being at *Catwick*, in the ſaid County of *York*, and then or then late in the Tenure or Occupation of *Paul Watkinſon*, or his Aſſigns, and let at the yearly Rent of Fifteen Pounds; and alſo all the Tythes yearly ariſing, renewing, growing, or accruing at *Dowthorpe*, in the County of *York*, and then or then late in the Tenure or Occupation of Mrs. *Carrott*, or her Aſſigns, and let at the yearly Rent of Nine Pounds; and alſo all the Tythes of Corn, Grain, Hay, Wool, and Lamb, ariſing, renewing, growing, accruing, and payable from ſeveral Perſons at *Oubrough*, in the ſaid County

of

of *York*, amounting to the yearly Value of Fourteen Pounds and Eighteen Shillings; and alſo all the Tythes of Corn, Grain, Hay, Wool, and Lamb, ariſing, renewing, growing, accruing, and payable, from ſeveral Perſons in *South Skirlaugh*, in the ſaid County of *York*, amounting to the yearly Rent of Thirty-nine Pounds Eleven Shillings and Six Pence; and alſo all the Tythes of Corn, Grain, Hay, Wool, and Lamb, ariſing, renewing, growing, accruing, and payable at *Langthorpe*, in the ſaid County of *York*, and then or then late in the Tenure or Occupation of *Thomas Dreſſer*, or his Aſſigns, ſet at the yearly Rent of Seven Pounds Fourteen Shillings; and alſo all the *Eaſter* Offerings yearly ariſing, renewing, or growing, in *Nunkeeling* and *Bewholme* aforeſaid, and payable to the ſaid *William Thornton*, as Impropriator, amounting to the yearly Rent or Sum of Four Pounds; and the Reverſion and Reverſions, Remainder and Remainders, Rents, Iſſues, and Profits of the ſame Premiſes; to hold unto the ſaid *John Launder* and *Robert Bogg*, and their Heirs, to the ſeveral Uſes therein mentioned (that is to ſay); to the Uſe of the ſaid *William Thornton*, for his Life, without Impeachment of Waſte; Remainder to the ſaid *John Launder* and *Robert Bogg*, and their Heirs, during the Life of the ſaid *William Thornton*, in Truſt, to preſerve the contingent Remainders; and after the Death of the ſaid *William Thornton*, to the Uſe of the ſaid *Mary Thornton*, for her Life, in full for her Jointure, and in Bar of her Dower; and after the ſeveral Deceaſes of the ſaid *William Thornton* and *Mary* his Wife, to the Uſe of the Firſt and every other Son of the ſaid Marriage ſucceſſively in Tail Male; with the Remainder or Reverſion in Fee-ſimple to the Uſe of the ſaid *William Thornton*, his Heirs and Aſſigns; in which ſaid Indenture Quinquepartite is contained a Power for the ſaid *William Thornton*, during his Life, and for the ſaid *Mary Thornton*, after his Death, and all and every other Perſon and Perſons who ſhould be in Poſſeſſion of the above-mentioned Premiſſes, or any Part thereof, by virtue of any of the Uſes or Limitations therein contained, to make Leaſes of the ſame Premiſſes, or any Part thereof, for any Term not exceeding Twenty-one Years in Poſſeſſion, at the moſt Rent that could be got for the ſame, without taking any Fine in reſpect thereof:

And whereas the ſeveral Eſtates, Hereditaments, and Premiſſes, herein before mentioned to be compriſed in the ſaid Marriage-Settlement, are now let at ſeveral yearly Rents, amounting together to Three hundred and Fifty-nine Pounds Nine Shillings and Ten Pence *per Annum*; but are ſubject to a perpetual yearly Rent, or Payment of Ten Pounds, iſſuing and payable thereout, whereby the yearly Income thereof is reduced to Three hundred and Forty-nine Pounds Nine Shillings and Ten Pence *per Annum*:

And whereas the ſaid *William Thornton* and *Mary* his Wife have Iſſue between them *Thomas Thornton* their only Son, who is under the Age of Eleven Years, and no other Iſſue Male:

And whereas the ſaid *William Thornton* is ſeiſed or intitled in Fee-ſimple, of, in, or to the ſeveral Meſſuages, Farms, Cloſes, Lands, Grounds, Tenements, and Hereditaments, ſituate, lying, and being, in the Townſhip of

of *Thornville*, alias *Little Cattall* in the West Riding of the County of *York*, and in *Cuckwold*, and *Husthwaite* in the North Riding of the same County, some or one of them respectively, and herein after-mentioned and described (that is to say); all those several Closes or Parcels of Ground, situate, lying, and being, in *Thornville* or *Little Cattall*, alias *Cathill*, called or known by the several Names, and containing by Estimation the several Quantities and Dimensions following (that is to say); the *Garth Ends*, containing Nine Acres Two Roods and Nine Perches; the *Great Awbut*, alias *Abbots Close*, Twelve Acres and Nineteen Perches; the *Sheet Field*, containing Sixteen Acres Two Roods and Seven Perches; *Wheat Field*, containing Five Acres Two Roods and Ten Perches; *Ogle Close*, containing Six Acres One Rood and Fourteen Perches; *Falkingham Close*, containing Fourteen Acres Two Roods and Twenty-eight Perches; *Nelson Closes*, containing Ten Acres Three Roods and Eighteen Perches; the *Great Ox Close*, containing Thirteen Acres and Thirty-five Perches; the *Little Ox Close*, containing Six Acres One Rood and Thirty-six Perches; *Hornby's Close*, containing Eight Acres and Thirty-two Perches; *Brearys Close*, containing Five Acres Three Roods and Thirty Perches; *Coniegarth*, containing Five Acres One Rood and Seven Perches; *Planetree Close*, containing Five Acres Two Roods and Twenty-seven Perches; *Fisher Close*, containing Six Acres Three Roods and One Perch; the *Little Awbutt*, alias *Abbots Close*, containing Ten Acres Three Roods and One Perch; the *Herns*, containing Six Acres Three Roods and Twenty-one Perches; *Wise Close*, containing Eight Acres Three Roods and Eighteen Perches: And which said Closes and Grounds now are in the Possession and Occupation of the said *William Thornton*, his Tenants or Undertenants, and are of the annual Rent or yearly Value of One hundred and Fifty-six Pounds Fourteen Shillings: And all those several Messuages, Tenements, or Farms, with the Lands or Grounds thereunto respectively belonging, or therewith used, called *Woolpot's Farm* and *Woodhouse Farm*, situate, lying, and being in the Towns, Parishes, Precincts, or Territories of *Coxwould*, otherwise *Cuckwold*, and *Husthwaite* aforesaid, or one of them, and now or late in the several Tenures or Occupations of *John Saville* and *John Waring* respectively, at the several yearly Rents of Forty Pounds and Thirty-five Pounds:

And whereas the said *William Thornton* hath lately contracted and agreed for the Purchase of the Inheritance of divers Farms, Lands, Tenements, and Hereditaments, being the Estate of *Thomas Scawen*, Esquire, and *James Scawen*, Esquire, his Son, or One of them, their or One of their Trustees, lying and being at *Kirk Hamerton*, in the West Riding of the County of *York*, of the yearly Rent or Value of One hundred and Forty-six Pounds:

And whereas the several Estates and Premisses in the said East Riding, comprised in the said Marriage Settlement, consist chiefly of undivided Parts or Shares, and of Tythes of divers kinds, and of an uncertain and precarious Income; and as they lie at a great Distance from the Place of Residence or Seat of the said *William Thornton*, and the Bulk of his Estate, and the Care,

Care, Inſpection, and Management, of the ſaid laſt-mentioned Eſtates, and the collecting and receiving the Rents and Profits thereof, are conſequently liable to and attended with a greater Trouble and Expence; and as the Lands and Hereditaments whereof he is ſeiſed or intitled in Fee-ſimple, and hath contracted to purchaſe, reſpectively, are not only of greater Rent and Value, but from their Situation are much more ſuitable and convenient for the Purpoſes of the ſaid Settlement; the ſaid *William Thornton*, in order to make a better Proviſion for his ſaid Wife, and his Iſſue Male by her, doth propoſe, and is willing and deſirous, that in caſe the ſaid Eſtates and Premiſſes in the *Eaſt* Riding, ſo compriſed in the ſaid Marriage Settlement, ſhall be conveyed to and veſted in him in Fee-ſimple, diſcharged of the Uſes and Truſts of that Settlement, the ſeveral Lands, Tenements, and Hereditaments, whereof he is ſeiſed in Fee-ſimple, and hath contracted to purchaſe reſpectively, ſhall be exchanged for the ſettled Eſtate abovementioned, and ſubſtituted and ſettled in Lieu thereof, to ſo many of the Uſes limited and declared thereof, in and by the ſaid Marriage-Settlement, as are now exiſting, undetermined, or capable of taking Effect:

But although ſuch Exchange ſo propoſed will be a maniſeſt Advantage to the ſaid *William Thornton* and *Mary* his Wife, and their Iſſue Male, inheritable under the ſame Settlement; **Yet**, by reaſon and during the Minority of their eldeſt Son, the ſame cannot be effected without the Aid and Authority of an Act of Parliament;

May it therefore pleaſe your MAJESTY,

At the humble Petition and Requeſt of your moſt Dutiful and Loyal Subjects the ſaid *William Thornton* and *Mary* his Wife, for themſelves and on the Behalf of *Thomas Thornton* their only Son, an Infant, That it may be **Enacted**; **And be it Enacted**, by the KING's moſt Excellent MAJESTY, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That all that the Moiety of the ſaid Manors or Lordſhips of *Nunkeeling* and *Bewholme*, in the Eaſt Riding of the County of *York*, with the Rights, Members, and Appurtenances thereto belonging, and the ſaid Manor Houſe of *Nunkeeling*, in the ſaid Eaſt Riding of *York*, mentioned in the ſaid Settlement to be in the Tenure of *Thomas Acklam*, or his Aſſigns; and the ſaid ſeveral Meſſuages, Lands, Tenements, and Hereditaments, at *Nunkeeling* and *Bewholme*, therein mentioned to be in the ſeveral Tenures or Occupations of Mrs. *Leng*, *William Harper*, *Thomas Hudſon*, *Jonathan Robinſon*, *Thomas Raſhell*, *Joſeph Fangate*, *William Newham*, *Robert Wilſon*, and *Thomas Wilds*, or their reſpective Aſſigns; and alſo the ſaid Tythes of Corn, Grain, Hay, Wool, and Lamb, yearly ariſing, renewing, growing, or accruing, at *Bewholme* aforeſaid; and the ſaid Meſſuage, Farm, and Lands, at *Catwick* in the ſaid Eaſt Riding of the County of *York*; and alſo the ſaid Tythes of Corn, Grain, Hay, Wool, and Lamb, ariſing, renewing, growing, accruing, and payable, at *Oubrough*, *South Skirlaugh*, and *Langthorpe*, in the Eaſt Riding aforeſaid; and the ſaid Tythes growing and accruing at *Dowthorpe* aforeſaid, in the ſame Riding; and all the *Eaſter* Offerings yearly ariſing, renewing, or

growing, in *Nunkeeling* and *Bewholme* aforeſaid, and payable to the ſaid *William Thornton*, as Impropriator as aforeſaid; and all and every other the Meſſuages, Farms, Lands, Tenements, Tythes, and Hereditaments, and Parts and Shares of Manors, Meſſuages, Farms, Lands, Tenements, and Hereditaments, which are herein before-mentioned to have been ſettled, limited, and aſſured, in and by the ſaid recited Settlement, to the Uſe of the ſaid *William Thornton* for his Life; Remainder to the ſaid *Mary Thornton* for her Life; Remainder to their Firſt and every other Son ſucceſſively, in Tail Male as aforeſaid, with their and every of their Rights, Members, and Appurtenances; and the Reverſion and Reverſions, Remainder and Remainders, Rents, Iſſues, and Profits, of the ſame Premiſſes, ſhall, from and after the Second Day of *February* One thouſand Seven hundred and Sixty-one, be ſettled upon and veſted in, and the ſame are hereby from thenceforth ſettled upon and veſted in, the ſaid *John Myſter* and *Thomas Lockyer*, their Heirs and Aſſigns, to the Uſes and for the Purpoſes herein after-mentioned; that is to ſay, To, for, upon, and ſubject to, the ſeveral Uſes, Truſts, Powers, Proviſoes, and Limitations, in and by the ſaid recited Settlement limited, created, provided, and declared, of and concerning the ſame Premiſſes, until the Purchaſe of the Premiſſes in *Kirk Hamerton*, ſo agreed to be purchaſed by the ſaid *William Thornton* as aforeſaid, ſhall be completed; and the Farms, Lands, Tenements, and Hereditaments, ſo contracted for, ſhall be effectually conveyed and aſſured, unto and to the Uſe of the ſaid *John Myſter* and *Thomas Lockyer*, and their Heirs; and immediately after the ſame Farms, Lands, Tenements, Hereditaments, and Premiſſes in *Kirk Hamerton*, ſo contracted to be purchaſed by the ſaid *William Thornton* as aforeſaid, ſhall be conveyed unto and to the Uſe of the ſaid *John Myſter* and *Thomas Lockyer*, and their Heirs as aforeſaid, that then and from thenceforth the ſaid *John Myſter* and *Thomas Lockyer*, and their Heirs, ſhall ſtand and be ſeiſed of and in the ſaid Moiety of the ſaid Manors or Lordſhips of *Nunkeeling* and *Bewholme* aforeſaid, and all and every other the Meſſuages, Farms, Lands, Tenements, Tythes, and Hereditaments, and Parts and Shares of Meſſuages, Farms, Lands, Tenements, Tythes, and Hereditaments, in the Eaſt Riding of the County of *York*, herein before veſted in them as aforeſaid, with their and every of their Rights, Members, and Appurtenances, to the Uſe and Behoof of him the ſaid *William Thornton*, his Heirs and Aſſigns for ever, freed and diſcharged, and abſolutely acquitted, exempted, and exonerated, of and from all the Uſes, Truſts, Powers, Proviſoes, and Limitations, in and by the ſaid recited Marriage Settlement limited, created, provided, and declared, of and concerning the ſame.

April 1761

April 1761

And it is hereby further Enacted and Declared, That the ſeveral Meſſuages, Farms, Cloſes, Lands, Grounds, Tenements, and Hereditaments, ſituate, lying, and being in the Towns, Pariſhes, Fields, Precincts, or Territories of *Thornville*, alias *Little Cattall*, alias *Little Cathill*, in the Weſt Riding, and *Cuckwold* and *Huſthwaite*, in the North Riding of the County of *York*, reſpectively, whereof or whereto the ſaid *William Thornton* is herein before-mentioned to be ſeiſed or intitled in Fee-ſimple as aforeſaid, with their and every of their Rights, Members, and Appurtenances, and the Reverſion and Reverſions, Remainder and Remainders, of the ſame Premiſſes,

miſſes, ſhall, from and after the ſaid Second Day of *February* One thouſand Seven hundred and Sixty-one, be ſettled upon and veſted in, and the ſame are hereby from thenceforth ſettled upon and veſted in, the ſaid *John Myſter* and *Thomas Lockyer*, their Heirs and Aſſigns, to the Uſes and for the Purpoſes herein after-mentioned; that is to ſay, To the Uſe of the ſaid *William Thornton*, his Heirs and Aſſigns, until the Purchaſe and Conveyance of the Premiſſes in *Kirk Hamerton*, ſo contracted for, ſhall be made, executed, completed, and effected, as aforeſaid; and then and immediately from thenceforth the ſaid *John Myſter* and *Thomas Lockyer*, and their Heirs, ſhall ſtand ſeiſed of the ſaid Meſſuages, Farms, Cloſes, Lands, Grounds, Tenements, Hereditaments, and Premiſſes, herein laſt before-mentioned, to be ſettled upon and veſted in them by this Act as aforeſaid, with their and every of their Appurtenances, to, for, upon, and ſubject to, the ſeveral Uſes, Eſtates, Truſts, Powers, Proviſoes, and Limitations, in and by the ſaid recited Marriage-Settlement limited, created, and declared, of and concerning the Manors or Lordſhips, Lands, Tythes, Tenements, and Hereditaments, and Parts and Shares of Manors or Lordſhips, Lands, Tenements, and Hereditaments, in the Eaſt Riding of the County of *York*, or ſuch and ſo many of the ſaid Uſes, Truſts, Powers, Proviſoes, and Limitations, as ſhall be then exiſting, undetermined, or capable of taking Effect; and alſo do and ſhall, by good Conveyances and Aſſurances in the Law, grant, convey, and aſſure the ſaid Farms, Lands, Tenements, Hereditaments, and Premiſſes in *Kirk Hamerton*, ſo contracted to be purchaſed, and hereby directed and appointed to be conveyed, unto and to the Uſe of them and their Heirs as aforeſaid, with their and every of their Appurtenances, to and for the ſame Uſes and Purpoſes, or ſo many of them, as ſhall be then ſubſiſting.

18 April 17

Saving always to the KING's moſt Excellent MAJESTY, his Heirs and Succeſſors, and to all and every other Perſon and Perſons, Bodies Politic and Corporate, his, her, and their Heirs, Succeſſors, Executors, and Adminiſtrators (Other than and except the ſaid *William Thornton*, his Heirs and Aſſigns, and the ſaid *Mary* his Wife, and the Firſt and every other Son between them Two begotten, or to be begotten, and the Heirs Male of the Bodies of ſuch Sons reſpectively; and all and every other Perſon or Perſons, claiming or to claim any Uſe, Eſtate, Truſt, Intereſt, or Benefit, by virtue of or under the ſaid Marriage-Settlement); All ſuch Eſtates, Right, Title, Intereſt, Claims, or Demands whatſoever, of, in, to, or out of, the Premiſſes reſpectively ſettled and veſted by this Act, as they, every or any of them, had before the paſſing this Act, or could or might have held and enjoyed reſpectively in caſe this Act had not been made.

ferried Estates of William Thornton, *Esquire, in the County of* York, *in Him, in Fee-simple, discharged of the Uses of his Marriage-Settlement; and for Settling other Lands of greater Value to the same Uses.*

[1760.]